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OFFICE OF PETITIONS

In re Application of
Teoh Hwa Ang et al.
Application No. 09/734,800
Filed: December 12, 2000
Attorney Docket No. U 013029-5

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ON PETITION

This is a decision on the petition filed on July 19, 2004 under 37 CFR 1.137(b),¹ to revive the above-identified application. The decision is also in response to the Petition filed December 11, 2003 to withdraw the holding of abandonment.

The petition under 37 CFR 1.137(b) filed July 19, 2004 is **GRANTED**.
The petition under 37 CFR 1.181 filed December 11, 2003 is **DISMISSED**.

This application became abandoned October 15, 2003 for failure to timely pay the issue fee on or before October 14, 2003. Accordingly, a Notice of Abandonment was mailed November 26, 2003.

In view of the petition to revive and the petition fee paid July 19, 2004, the petition to withdraw the holding of abandonment is Dismissed.

The issue fee having been properly remitted in accordance with 37 CFR 1.18 on October 15, 2003 and all other requirements of 37 CFR 1.137(b) having now been met, this application file is being forwarded to the Publishing Division to be processed into a patent.

Telephone inquiries concerning this matter may be directed to the undersigned Petitions Attorney at (571) 272-3212.

Patricia Faison-Ball
Patricia Faison-Ball
Senior Petitions Attorney
Office of Petitions

¹ Effective December 1, 1997, the provisions of 37 CFR 1.137(b) now provide that where the delay in reply was unintentional, a petition may be filed to revive an abandoned application or a lapsed patent pursuant to 37 CFR 1.137(b). A grantable petition filed under the provisions of 37 CFR 1.137(b) must be accompanied by:

(1) the required reply, unless previously filed. In a nonprovisional application abandoned for failure to prosecute, the required reply may be met by the filing of a continuing application. In a nonprovisional application filed on or after June 8, 1995, and abandoned for failure to prosecute, the required reply may also be met by the filing of a request for continued examination in compliance with § 1.114. In an application or patent, abandoned or lapsed for failure to pay the issue fee or any portion thereof, the required reply must be the payment of the issue fee or any outstanding balance thereof.

(2) the petition fee as set forth in 37 CFR 1.17(m);

(3) a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional. The Commissioner may require additional information where there is a question whether the delay was unintentional; and

(4) any terminal disclaimer (and fee as set forth in 37 CFR 1.20(d)) required pursuant to 37 CFR 1.137(e)).